CONFERENCE ON DISARMAMENT

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SECOND TRIAL REQUEST INSPECTION

1. Introduction

In document CD/1029 dated 10 August 1990, France reported on the results of the first trial request inspection (or challenge inspection) undertaken on an experimental basis at a military facility that was not particularly sensitive.

As a further step in evaluating the impact of the triple obligation involved in request inspections (anywhere, at any time, without right of refusal), a second national trial inspection was carried out on 6 December 1990 at an air base which is highly sensitive from the standpoint of national security.

This report describes the conduct of the exercise and indicates the lessons drawn from it, in particular with regard to managed access to facilities, equipment and weapon systems which are highly confidential.

2. Objectives

The objectives of this second exercise were:

To evaluate the security and confidentiality implications of a request inspection, and in particular to identify procedures for protecting legitimate national security interests (in particular procedures for managed access to sensitive installations and equipment at the site), while at the same time establishing that the Convention is being complied with;

To determine the improvements called for in the procedures for carrying out a request inspection;

To draw the necessary lessons for planning national measures to comply with obligations under the Convention.

3. Facility inspected

The facility inspected was an airforce base with an area of about 600 hectares, containing 570 buildings, whose purpose is to provide support and back-up for the operations of operational units, whether stationed there or passing through, to test various kinds of aeronautical equipment and to support air defence units, some of them experimental. The installations at the base include:

Military aircraft testing centre;

A medico-physiological research laboratory;

Storage silos for various types of munitions;

A fuel depot;

A technical operations sector;

A living sector, including a sizable infirmary;

Aircraft scrambling sectors.

4. Composition of the teams

4.1 Inspection team

The inspection team consisted of:

A chemical engineer, the team leader, with a very good knowledge of the Convention;

A chemical engineer who was a specialist in chemical weapons;

Three specialists from the French Verification Unit.

The technical team consisted of a specialist in the taking of samples and the detection of chemical weapons and an assistant for the sampling.

4.2 Representation of the requested State

The requested State had appointed two members of the national authority, in this instance;

A representative of the Ministry of Foreign Affairs;

A member of the French delegation to the Disarmament Conference.

4.3 Representation of the requesting State

The requesting State was represented by an observer.

4.4 Escorts appointed by the site

Each member of the inspection team, like the observer for the requesting State, was accompanied by a representative of the site who was familiar with the inspection procedures.

4.5 Other participants

A group of observers for various government bodies concerned took part in the inspection.

5. Preparation for the inspection

5.1 Briefing of the site

The commanding officer of the base and the staff concerned had received detailed information in advance on the relevant provisions of the rolling text of the Convention. In addition, arrangements for managed access and practical measures to protect confidential information had been worked out with the organizers of the inspection.

Some hours before the start of the inspection, the representatives of the national authority had been able to discuss with the representatives of the site the degree of sensitivity of access to the various sectors of the base and the level of confidentiality of the information there.

5.2 Notification

The Technical Secretariat was assumed to have notified the requested State 12 hours before the arrival of the inspection team at the point of entry.

6. Conduct of the inspection

The exercise was carried out in a single day (duration 8 hours 30 minutes). It had been agreed that there should be only visual examination of conventional munitions and that non-destructive methods should not be used, although that would have been possible at the site.

6.1 Initial meeting and tour of the site

At the start of the initial meeting, the inspection team leader presented its terms of reference and cited the reasons put forward by the requesting State in its request for an inspection. These had already been presented to the national authority at the point of entry.

The commanding officer of the base then gave a general introduction to the site, omitting none of the special features of its establishment and using a general plan of the site. He also informed the team of the general security rules.

The national authority explained the relations that should exist between the observer for the requesting State, the inspection team and the representatives of the site. In particular, the observer was not allowed to go on the general tour of the site or to enter sensitive facilities. He could not speak to anyone except the inspection team leader or a representative of the national authority.

The general tour of the site followed an itinerary established in advance by the commanding officer of the base and hence did not provide much additional information.

6.2 Inspection plan

The inspection plan, prepared by the inspection team without the presence of the observer, was then submitted, for any necessary amendments, to the representatives of the national authority and the site. The plan they jointly adopted was communicated to the observer. It was agreed that the plan could be modified as required during the inspection, with the agreement of all parties.

The inspection team chose to visit seven of the sectors into which the base was divided. For some of them, so that the inspectors could not obtain full information on matters not connected with the possible presence of chemical weapons (e.g. number of aircraft, systems being tested, quantity of munitions stockpiled), the commanding officer proposed a system of random access to sensitive areas. This was based on an access percentage, varying for each type of facility depending on its sensitivity. Some of the percentages proposed were modified at the inspectors' request, in agreement with the national authority. Thus, for example, in the most restricted munitions storage sector, 30 per cent of the storage areas, 20 per cent of the technical units and 20 per cent of the administrative buildings were chosen and visited by the inspectors.

6.3 Visit to the sectors

Because of the size of the site and the large number of buildings, the team was divided in two, except for the inspection of the munitions store. In the restricted area of the store, the inspection team leader was the only person allowed to enter the facility.

As regards the medico-physiological research laboratory, which carries out certain tests on the airforce's NBC defence equipment, the inspectors were offered a complete tour of the facilities, which enabled them to establish that the sector was not suitable for assessing behaviour in a toxic environment.

With regard to the inspection of the aircraft testing centre, a particularly sensitive sector, it was decided that the inspectors would stop at the entrance to the hangars and would not approach within 10 m of the aircraft. One of them could, if necessary, with the agreement of the representative of the national authority, go and check a detail that seemed to him suspect, escorted by a representative of the site.

The observer for the requesting State was not allowed into any sensitive area, but was able to talk, if he wished, with the inspection team leader so as to keep himself informed about the conduct of the inspection operations.

The inspection team had no means of communication of its own, which created problems when it had to divide into two parties.

7. Comments and proposals

7.1 Notification

It is in the interests of the requesting State that the inspection request it transmits to the Director-General of the Technical Secretariat should be precise enough to enable him to set up an appropriate inspection team with suitable equipment.

As regards the notification from the Technical Secretariat to the requested State, it would be advisable to fix a maximum period between notification and the inspectors' arrival at the point of entry.

The inspection team leader should, at the point of entry, present to the representative of the requested country the inspection mandate, which should mention among other things:

The exact location and name of the site to be inspected, in such a way that its limits can be clearly defined, in conjunction with the national authority and possibly the observer;

The deadline for arriving at the site;

The deadline for actually starting the inspection;

The information supporting the requesting State's request.

The deadlines must allow for the fact that the challenged State has to have a certain amount of time to make arrangements with regard to sectors or facilities not involved in the investigation into a possible violation of the Convention. It should be possible, for example, to determine the conditions in which the team could arrive at the site and wait until the preparations necessary to preserve confidentiality were finished, up to a certain time-limit (see section 7.3 below).

7.2 Preparation of the inspection plan, general tour of the site

At the opening meeting, all the information provided by the requesting State to the Technical Secretariat should be in possession of the site representatives. The observer should have a chance to supply the inspection team leader at that time with any additional information in his possession.

The organization of the general tour of the site should not be left to the discretion of the representative of the establishment, but should be arranged by agreement with the inspection team leader.

7.3 Confidentiality

For this type of strategic site, the arrangements for limited access negotiated by the inspection team and the representatives of the requested State showed that it was possible to preserve confidentality in all essentials while demonstrating good faith vis-à-vis the provisions of the Convention. But this is not a zero-sum game: the requesting State may be taking a political risk by making a challenge, and the requested State ought to be

ready to pay a certain price in terms of security in order to reassure the community of States parties that it is not manufacturing or holding chemical weapons.

It is important to consider the time factor carefully (period of notice, time of arrival at point of entry, time of start of inspection and duration of inspection). Either the requested State is engaging in activities involving chemical weapons, and it is necessary that the inspection team should be on the spot as quickly as possible, or the requested State is in good faith, and it must be able to protect its legitimate interests with regard to security and confidentiality.

7.4 Observer for the requesting State

The comments made on his role in document CD/1029 were confirmed in this new exercise.

Since the inspection will be made under a multilateral convention, it should not be permissible for the observer to have any direct relations with a representative of the requested State. Any request on his part should therefore only be made through, or in the presence of, the inspection team leader.

8. Conclusions

This second trial inspection showed that for this type of establishment, preparing the staff and facilities for an inspection of this nature and negotiating limited access represented a good way of avoiding the leakage of confidential information without jeopardizing the effectiveness of the inspection.

However, the degree of access required to create enough confidence may vary from one site to another, depending on the factors that determine the site's sensitivity. France accordingly intends soon to follow up its evaluation of the impact of request inspections on security and confidentiality by undertaking other trial request inspections at different kinds of sites.

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